

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

8 MAY -7 2013

SENATE

RECEIVED BY: S.B. NO. 2252

Introduce by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

In the Philippines, we celebrate the Christmas season as early as September until late January of the following year, with lots of food and merry making. The common belief is that the livelier and noisier we are during this holiday season, the luckier we will be as we welcome the New Year. That is why demand for firecrackers or fireworks is at its peak. That is why owners or producers of these pyrotechnics employ seasonal workers to produce a substantial level to meet the increasing demands.

However owners or manufacturers willfully and unlawfully hired children as members of their labor force, without considering the risks at stake.

Mining/quarrying and pyrotechnics productions are identified as the two of the six worst forms of child labor that the Philippine Time Bound Program (PTBP) aims to eliminate by 2015. The other worst forms of child labor include deep-sea fishing, sugar cane plantation, commercial and sexual exploitation and domestic labor.

This bill seeks to provide for stiffer penalties against acts of child labor particularly in its worst forms.



RAMON BONG REVILLA, JR.

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

8 MAY -7 1995

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S.B. No. 2252

Introduce by Senator Ramon Bong Revilla, Jr.

AN ACT PROHIBITING OWNERS OF FIRECRACKER FACTORIES FROM EMPLOYING CHILDREN AS FIRECRACKER MANUFACTURERS, ASSEMBLERS OR PACKERS AND IMPOSING PENALTIES THEREOF.

Be it enacted in the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Short Title. An Act prohibiting the employment of children as firecracker manufacturers, assemblers or packers.

Section 2. Declaration of Policy. Article 32(1) of the UN Convention on the Rights of the Child (ratified by the Philippines on 26 July 1990) provides that "States parties recognize the right of the child to be protected from economic and exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development."

Section 3. Definition of Terms. For purposes of this Act, the following terms shall be defined as follows;

- a. Children - refers to a person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.
- b. Child labor - refers to the illegal employment of the children below 5 years old or those below 18 years old in hazardous occupation.
- c. firecrackers - refers to a paper cylinder, triangle or whatever form enclosing an explosive material used to make noise which are destructive and dangerous to lives and properties

Section 4. Penalties. Any person, individual or group of individual found guilty of employing children in firecracker factories is penalized by the following:

- a) First offense, a fine of One Hundred Thousand Pesos (Php100, 000.00)
- b) Second offense, a fine of Three Hundred Thousand (Php300, 000.00) and
- c) Third and succeeding offenses, a fine of Five Hundred Thousand (Php500, 000.00) to One Million Pesos (1,000,000.00) and non-issuance of business permit.

Section 5. Implementing Rules and Regulations. Within thirty (30) days from the effectivity of this Act, the Department of Trade and Industry (DTI) as the lead agency, together with the Department of Labor and Employment (DOLE), Department of Social Welfare and Development (DSWD) and Department of Interior and Local Government (DILG) shall promulgate the necessary rules and regulations for the implementation of this Act.

Section. 6. Separability Clause - If for any provision of this Act is held invalid, the other provisions of this act shall not affected shall remain in full force and effect.

Section 7. Repealing Clause - All laws, decrees, orders, rules and regulations, or portion thereof inconsistent with this act are hereby repealed or modified accordingly.

Section 8. Effectivity - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier,

Approved,